

**THIRTY-SIXTH LEGISLATIVE DAY
MONDAY, FEBRUARY 13, 2006**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Ian McMahon, Page.

Approval of Journal

February 13, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-third Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

At this time, the Speaker put the House at ease.

A Lincoln Day Memorial Service was presented to the members of the House.

Opening Remarks Representative Pence
Posting of the Colors Civil War Enactors of Boise
Choral Performance Boise Master Chorale
Dr. James Jirak, Director
Tribute to President Abraham Lincoln Mr. Skip Critell
Closing Representative Bilbao

Prior to going at ease, the House was at the Fourth Order of Business.

**Consideration of Messages from the
Governor and the Senate**

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Phil Hart, State Representative, District District 3, House Seat B, Kootenai County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Tina Jacobson, of Rathdrum, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Tina Jacobson, Acting State Representative, District 3, House Seat B, State of Idaho, for a term commencing on Monday, February 13, 2006, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 9th day of February in the year of our Lord two thousand and six, and of the Independence of the United States of America, the two hundred and thirtieth year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ BEN YSURSA
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Ms. Jacobson.

February 10, 2006

Mr. Speaker:

I transmit herewith enrolled S 1329 and S 1330 for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled S 1329 and S 1330 and, when so signed, ordered them returned to the Senate.

February 10, 2006

Mr. Speaker:

I transmit herewith S 1299, S 1315, S 1317, and S 1258 which have passed the Senate.

WOOD, Secretary

S 1299, S 1315, S 1317, and S 1258 were filed for first reading.

February 10, 2006

Mr. Speaker:

I return herewith H 405 and H 406 which have passed the Senate.

WOOD, Secretary

H 405 and H 406 were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 13, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND

ADMINISTRATION report that we have printed **HCR 36, HCR 37, HCR 38, HJM 14, H 627, H 628, H 629, H 630, H 631, H 632, H 633, H 634, H 635, H 636, H 637, H 638, H 639, H 640, H 641, H 642, H 643, H 644, H 645, H 646, H 647, H 648, H 649, H 650, H 651, H 652, H 653, H 654, and H 655.**

FIELD(18), Chairman

HCR 36, HCR 37, HCR 38, HJM 14, H 636, H 637, H 638, H 639, H 640, H 641, and H 650 were referred to the Resources and Conservation Committee.

H 627, H 628, H 629, H 630, H 631, H 632, H 633, and H 634 were referred to the Judiciary, Rules, and Administration Committee.

H 635 was referred to the State Affairs Committee.

H 642, H 643, H 644, H 645, H 646, H 651, H 652, H 653, H 654, and H 655 were referred to the Business Committee.

H 647, H 648, and H 649 were referred to the Commerce and Human Resources Committee.

February 13, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 452** and **H 574** and recommend that they do pass.

DEAL, Chairman

H 452 and **H 574** were filed for second reading.

February 13, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 454** and recommend that it do pass.

CROW, Chairman

H 454 was placed on the Third Reading Calendar.

February 13, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 508** and recommend that it do pass.

CROW, Chairman

H 508 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 39 BY TRANSPORTATION AND DEFENSE COMMITTEE A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND
COMMENDING MOST MEMBERS OF THE IDAHO
MEDICAL ASSOCIATION FOR PROVIDING HEALTH
CARE TO MILITARY PERSONNEL AND THEIR FAMILIES
DURING DEPLOYMENT.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the United States of America has a declared commitment against the war on terror;

WHEREAS, many soldiers have been called to active duty and have been put on alert to mobilize for active duty; and

WHEREAS, the Department of Defense has instructed our citizen soldiers and their families to put their personal, financial and other affairs in order in the event of an overseas deployment; and

WHEREAS, every family member, neighbor or medical provider could be affected by this ongoing military mobilization; and

WHEREAS, upon this mobilization of military personnel, the Idaho Army National Guard, the U.S. Army, the U.S. Air Force, the U.S. Navy, and the U.S. Marines, and their families will be enrolled in the Department of Defense TRICARE insurance program; and

WHEREAS, military personnel and their families will be in insurance transition during these difficult times and require the full support of all Idaho medical providers; and

WHEREAS, most of the medical providers of the Idaho Medical Association have responded to the call of the state's Commander in Chief, Governor Dirk Kempthorne that no soldier or his/her family will be denied needed medical care during this deployment and active duty against the War on Terror.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that, on behalf of the citizens of the State of Idaho commend:

1. Most of the medical providers of the Idaho Medical Association for their spirit of public good faith in support of military personnel and their families during insurance benefit transition.

2. Most medical providers of the Idaho Medical Association for their spirit of patriotism and sacrifice for military personnel and their families that no soldier or his/her family will be denied needed medical care during this deployment and active duty against the War on Terror.

3. Most medical providers of the Idaho Medical Association for their spirit of commitment against the War on Terror.

BE IT FURTHER RESOLVED that we request all medical providers in Idaho to accept the Department of Defense TRICARE insurance program for Idaho military personnel on active duty and their families.

HOUSE CONCURRENT RESOLUTION NO. 40

BY HEALTH AND WELFARE COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND
REQUESTING THE DEPARTMENT OF HEALTH AND
WELFARE AND THE OFFICE OF THE ATTORNEY

GENERAL TO DEVELOP A STATEWIDE, UNIVERSAL SYSTEM AND FORM FOR PHYSICIAN ORDERS FOR LIFE-SUSTAINING TREATMENT AND TO REPORT THEIR PROPOSALS TO THE LEGISLATURE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, physician orders for life-sustaining treatment are voluntary and are intended to help the patient and the patient's physician or nurse practitioner discuss and develop plans that reflect the patient's wishes; and

WHEREAS, physician orders for life-sustaining treatment are written instructions stating the patient's intent on how the patient's medical decisions are to be made if the patient is unable to make that decision; and

WHEREAS, physicians, nurses, emergency medical personnel and health care facilities strive to honor and carry out patient intent on life-sustaining treatment; and

WHEREAS, Idaho does not have a statewide, universal form for physician orders for life-sustaining treatment; and

WHEREAS, some physician orders for life-sustaining treatment are recognized in some care settings but not in others and may not be recognized by emergency medical personnel or other health care providers.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Department of Health and Welfare and the Office of the Attorney General are requested to develop a statewide, universal system or form for physician orders for life-sustaining treatment. The Department of Health and Welfare and the Office of the Attorney General are requested to work with representatives of emergency medical services, hospitals, physicians, health care facilities and other interested parties to develop the specific system or form for physician orders for life-sustaining treatment, including the statewide and universal application and implementation guidelines. These parties are requested to bring a report to the First Regular Session of the Fifty-ninth Idaho Legislature outlining their proposals. Legislation, if necessary, may be drafted by the Office of the Attorney General to implement these suggestions.

**HOUSE CONCURRENT RESOLUTION NO. 41
BY HEALTH AND WELFARE COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE DEVELOPMENT AND IMPLEMENTATION OF A STATE WEBSITE PORTAL TO ASSIST IDAHOANS IN BECOMING MORE INFORMED ABOUT HEALTHY LIFESTYLES AND AVAILABLE HEALTH CARE OPTIONS IN IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, there is currently a lack of transparency in the pricing of health care; and

WHEREAS, consumers of health care services do not have access to enough information to make fully-informed decisions about the expenditure of their health care dollars; and

WHEREAS, the health gains attained over the last thirty years have flattened and the next generation of Americans may not live as long and healthy lives as their parents; and

WHEREAS, the implementation of a "health.idaho.gov" website portal administered by the Idaho Department of Administration with the collaboration of the Department of Insurance and the Division of Health, Department of Health and Welfare, would assist Idahoans by disseminating health care information on a wider and more accessible basis; and

WHEREAS, the "health.idaho.gov" website portal would be designed to increase the health knowledge of all Idahoans and enable them to make informed choices; and

WHEREAS, the "health.idaho.gov" website portal could provide information including costs for health procedures and prescription drug programs, healthy lifestyle choices and preventive health information, as well as links to health care services and providers in Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Idaho Legislature encourages the development and implementation of a "health.idaho.gov" website portal to assist Idahoans in becoming more informed about healthy lifestyles and available health care options in Idaho.

**HOUSE JOINT MEMORIAL NO. 15
BY HEALTH AND WELFARE COMMITTEE**

A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, there are an estimated 148,000 adults in Idaho without health care coverage; and

WHEREAS, 286,000 Idaho adults live in households with incomes of less than or equal to 185 percent of the Federal Poverty Guidelines (FPG); and

WHEREAS, 78,000 or nearly 30 percent of the households at or below 180 percent of the FPG are without health insurance; and

WHEREAS, many of these individuals qualify for patient assistance programs available through pharmaceutical companies; and

WHEREAS, health care providers throughout Idaho, including hospitals, community health centers, residency programs, free clinics, physicians' offices, county governments and other community agencies, have shown a commitment to assisting patients in accessing these programs because the application process is burdensome and time-consuming; and

WHEREAS, depending upon the medication needed, there are approximately 191 programs and forms from the various pharmaceutical companies that must be completed in order to

access these medications; and

WHEREAS, each patient averages between three to five medications and some have as many as nine medications; and

WHEREAS, the average savings in prescription costs to these patients is estimated to be approximately \$2,400 annually; and

WHEREAS, these prescriptions represent preventive medications, the availability of which reduces additional costs in the health care safety net and are lifesaving in certain circumstances; and

WHEREAS, the most common types of medications requested are hypertension medications and antidepressants; and

WHEREAS, the estimated time to complete each application for each patient by hand is thirty minutes to one hour; and

WHEREAS, there would be considerable time saved for health care providers in Idaho and increased access to necessary prescriptions for low-income Idahoans if the process were streamlined; and

WHEREAS, it is generally estimated that a standardized application for these prescriptions would reduce the time necessary to complete applications for any individual by half, based upon experience using electronic software that completes the process at a cost.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge Congress to mandate a standardized application for use by pharmaceutical companies in determining eligibility for free medications from the pharmaceutical companies.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HCR 39, HCR 40, HCR 41, and HJM 15 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 656

BY LOCAL GOVERNMENT COMMITTEE AN ACT

RELATING TO THE BASIN PROJECT COMMISSION; AMENDING SECTION 39-8106, IDAHO CODE, TO PROVIDE FOR AN ADDITIONAL MEMBER ON THE BOARD OF COMMISSIONERS OF THE BASIN PROJECT COMMISSION.

HOUSE BILL NO. 657

BY LOCAL GOVERNMENT COMMITTEE AN ACT

AMENDING THE CHARTER OF THE CITY OF BELLEVUE, TO AMEND CHAPTER III, SECTION 33, AS ADDED BY SECTION 2, CHAPTER 130, LAWS OF 1996, TO REDESIGNATE THE SECTION; TO AMEND CHAPTER IV,

ELECTIONS, SECTIONS 33, 34, 36, 37, 41, 42 AND 43 THEREOF TO PROVIDE FOR THE ELECTION DATES AND ELECTION PROCEDURES TO BE AS SET FORTH IN THE GENERAL LAWS OF THE STATE OF IDAHO APPLICABLE TO ELECTION OF CITY OFFICIALS, INCLUDING SUBSEQUENT AMENDMENTS THERETO; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 658

BY LOCAL GOVERNMENT COMMITTEE AN ACT

RELATING TO PARTIAL EXEMPTION FOR PARCELS OF LAND IN A RURAL HOMESITE DEVELOPMENT PLAT; REPEALING SECTION 63-602FF, IDAHO CODE, RELATING TO PARTIAL EXEMPTION FROM TAXATION FOR PARCELS OF LAND IN A RURAL HOMESITE DEVELOPMENT PLAT; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602FF, IDAHO CODE, TO PROVIDE EXEMPTION FROM TAXATION FOR THE SPECULATIVE PORTION OF THE VALUE OF EACH PARCEL OF LAND IN A RURAL HOMESITE DEVELOPMENT PLAT UNTIL SUCH TIME AS IMPROVEMENTS ARE BEING BUILT UPON THE PARCEL, OR ANY INTEREST IN THE OWNERSHIP OF THE PARCEL IS SOLD OR TRANSFERRED TO AN UNRELATED ENTITY AND TO PROVIDE DEFINITIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 659

BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO A MOTOR VEHICLE MANUFACTURER'S LICENSE; AMENDING SECTION 49-1612, IDAHO CODE, TO PROHIBIT ISSUANCE OF A VEHICLE MANUFACTURER'S LICENSE TO AN APPLICANT WHO DOES NOT HAVE AN ESTABLISHED PLACE OF BUSINESS WITHIN IDAHO, TO REQUIRE NOTIFICATION TO THE DEPARTMENT UPON A CHANGE OF BUSINESS ADDRESS, TO PROVIDE FOR GRANTING A NEW LICENSE FOR THE UNEXPIRED PORTION OF THE TERM OF THE LICENSE AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 660

BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO TITLING OF SALVAGE VEHICLES; AMENDING SECTION 49-524, IDAHO CODE, TO DELETE THE AGE AND MARKET VALUE LIMITATIONS RELATING TO OBTAINING A SALVAGE CERTIFICATE OF OWNERSHIP FOR A SALVAGE VEHICLE; AND AMENDING SECTION 49-525, IDAHO CODE, TO PROVIDE A PROCEDURE FOR OBTAINING A BRANDED CERTIFICATE OF TITLE FOR A VEHICLE WHICH IS FIVE YEARS OLD OR LESS OR WHICH HAS A KNOWN MARKET VALUE IN EXCESS OF SIX THOUSAND DOLLARS WHICH HAS BEEN DETERMINED TO BE A SALVAGE VEHICLE AND WHICH HAS NOT BEEN

INSPECTED BY THE DEPARTMENT.

HOUSE BILL NO. 661

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO TAXATION OF MOTOR FUELS; AMENDING SECTION 63-2402, IDAHO CODE, TO PROVIDE THAT THE TAX LIABILITY FOR MOTOR FUELS IS THE RESPONSIBILITY OF THE RECEIVING DISTRIBUTOR, TO AUTHORIZE DISTRIBUTORS TO INCLUDE AN AMOUNT EQUAL TO THE TAX AS PART OF THE SELLING PRICE AND TO PROVIDE THE PROCESSES FOR REMITTANCE OF FUEL TAX WHEN THE DISTRIBUTOR, RETAILER OR CONSUMER IS EXEMPT FROM THE TAX LIABILITY; AMENDING SECTION 63-2407, IDAHO CODE, TO REVISE THE PROCESS FOR CLAIMING A DEDUCTION BASED ON THE NUMBER OF GALLONS RECEIVED BY THE DISTRIBUTOR DURING A REPORTING PERIOD AND TO DELETE DISTRIBUTOR DEDUCTION PROVISIONS RELATING TO TAXES PREVIOUSLY PAID ON WORTHLESS ACCOUNTS; AMENDING SECTION 63-2427A, IDAHO CODE, TO PROVIDE A CONDITION FOR ISSUANCE OF A DISTRIBUTOR'S LICENSE; REPEALING SECTION 63-2435, IDAHO CODE, PROVIDING THAT MOTOR FUEL TAXES ARE STATE MONEY; AND PROVIDING SEVERABILITY.

HOUSE BILL NO. 662

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO MEDICAID; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 56-250, 56-251, 56-252, 56-253, 56-254 AND 56-255, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO STATE LEGISLATIVE INTENT, TO PROVIDE DEFINITIONS, TO PROVIDE POWERS AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE, TO PROVIDE FOR MEDICAL ASSISTANCE PAYMENTS BY THE DEPARTMENT TO OR ON BEHALF OF DESIGNATED CATEGORIES OF ELIGIBLE PERSONS, TO PERMIT THE DEPARTMENT TO MAKE PAYMENT FOR MEDICALLY NECESSARY SERVICES FURNISHED BY PROVIDERS TO DESIGNATED CATEGORIES OF ELIGIBLE PARTICIPANTS AND TO SPECIFY THE SERVICES FOR WHICH PAYMENT MAY BE MADE; REPEALING SECTION 56-209d, IDAHO CODE, RELATING TO THE MEDICAL ASSISTANCE PROGRAM, SERVICES TO BE PROVIDED AND EXPERIMENTAL SERVICES OR PROCEDURES EXCLUDED; AND AMENDING SECTION 31-873, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

HOUSE BILL NO. 663

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO MEDICAID; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 56-256 AND 56-257, IDAHO CODE, TO PERMIT

THE DEPARTMENT OF HEALTH AND WELFARE TO ESTABLISH PERSONAL HEALTH ACCOUNTS FOR MEDICAID PARTICIPANTS, TO PROVIDE A PURPOSE FOR THE ACCOUNTS, TO PROVIDE FOR FUNDING OF THE ACCOUNTS, TO PERMIT RULEMAKING BY THE DEPARTMENT, TO PROVIDE FOR USE OF THE ACCOUNT FUNDS, AND TO PROVIDE PAYMENTS FROM THE ACCOUNTS, TO REQUIRE THE DEPARTMENT TO ESTABLISH ENFORCEABLE COST SHARING, TO PROVIDE FOR A PURPOSE, TO PROVIDE FOR RULEMAKING BY THE DEPARTMENT, TO PROVIDE FOR PRACTICES THAT MAY INVOKE COPAYMENTS, TO DEFINE TERMS AND TO PERMIT EXCEPTIONS.

HOUSE BILL NO. 664

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO MEDICAID; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-209n, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS, TO PROVIDE ELIGIBILITY REQUIREMENTS FOR WORKERS WITH DISABILITIES TO QUALIFY FOR MEDICAID, TO PROVIDE AN EXCEPTION FOR PAYING A MEDICAID PREMIUM AND TO PROVIDE FOR A PREMIUM BASED ON INCOME; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 665

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO HEALTH INSURANCE; AMENDING CHAPTER 47, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-4714, IDAHO CODE, TO REQUIRE ANNUAL REPORTS BY CARRIERS TO THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, TO PROVIDE FOR THE INFORMATION TO BE SUBMITTED, TO REQUIRE THE DIRECTOR TO PREPARE AND PUBLISH A COMPARATIVE POLICY REPORT, AND TO REQUIRE THAT A REPORT SUMMARY BE PUBLISHED ON THE DIRECTOR'S WEBSITE.

HOUSE BILL NO. 666

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO PUBLIC ASSISTANCE LAW; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-209n, IDAHO CODE, TO DIRECT THE DEPARTMENT OF HEALTH AND WELFARE TO APPLY FOR FEDERAL WAIVERS FOR SPECIFIC REVISIONS TO THE STATE MEDICAID PROGRAM.

HOUSE BILL NO. 667

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-2140, IDAHO CODE, TO REQUIRE CERTAIN DISABILITY INSURANCE CONTRACTS TO PROVIDE COVERAGE FOR SPECIAL MEDICAL FORMULAS AND

EARLY INTERVENTION SERVICES UP TO A SPECIFIED BENEFIT LIMIT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-2210, IDAHO CODE, TO REQUIRE CERTAIN GROUP DISABILITY INSURANCE CONTRACTS AND BLANKET DISABILITY INSURANCE CONTRACTS TO PROVIDE COVERAGE FOR SPECIAL MEDICAL FORMULAS AND EARLY INTERVENTION SERVICES UP TO A SPECIFIED BENEFIT LIMIT; AMENDING SECTION 41-3437, IDAHO CODE, TO REQUIRE CERTAIN SUBSCRIBER CONTRACTS TO PROVIDE COVERAGE FOR SPECIAL MEDICAL FORMULAS AND EARLY INTERVENTION SERVICES UP TO A SPECIFIED BENEFIT LIMIT; AMENDING SECTION 41-3923, IDAHO CODE, TO REQUIRE MANAGED CARE ORGANIZATION PLANS TO PROVIDE CERTAIN COVERAGE FOR SPECIAL MEDICAL FORMULAS AND EARLY INTERVENTION SERVICES UP TO A SPECIFIED BENEFIT LIMIT AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 41-4023, IDAHO CODE, TO REQUIRE CERTAIN SELF-FUNDED PLANS TO PROVIDE CERTAIN COVERAGE FOR SPECIAL MEDICAL FORMULAS AND EARLY INTERVENTION SERVICES UP TO A SPECIFIED BENEFIT LIMIT AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 668
BY HEALTH AND WELFARE COMMITTEE
 AN ACT

RELATING TO MEDICAID; AMENDING CHAPTER 14, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-1404, IDAHO CODE, TO PROVIDE FOR THE INVESTIGATION AND PROSECUTION OF MEDICAID FRAUD BY THE OFFICE OF THE ATTORNEY GENERAL, TO PROVIDE FOR THE ADOPTION OF PROCEDURES, TO PROVIDE FOR THE COLLECTION OF OVERPAYMENTS, TO PROVIDE FOR THE EMPLOYMENT OF NECESSARY PERSONNEL, TO PROVIDE FOR REPORTING, TO PROVIDE A DEFINITION AND TO PROVIDE FOR RULEMAKING AUTHORITY; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 669
BY HEALTH AND WELFARE COMMITTEE
 AN ACT

RELATING TO MENTAL ILLNESS; AMENDING SECTION 39-4501, IDAHO CODE, TO REMOVE LANGUAGE REFERENCING MEDICAL ATTENDANCE UPON THE MENTALLY ILL; AMENDING SECTION 66-317, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE "DIRECTOR OF A FACILITY" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-318, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE AUTHORITY TO ADMIT VOLUNTARY PATIENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-320, IDAHO CODE, TO REFERENCE VOLUNTARY PATIENTS ADMITTED FOR CERTAIN PURPOSES RELATED TO MENTAL ILLNESS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 66-324, IDAHO CODE, TO REVISE PROVISIONS

APPLICABLE TO THE AUTHORITY TO RECEIVE INVOLUNTARY PATIENTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 66-326, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO A DETENTION WITHOUT A HEARING AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 66-601, IDAHO CODE, TO REVISE A CODE REFERENCE.

HOUSE BILL NO. 670
BY HEALTH AND WELFARE COMMITTEE
 AN ACT

RELATING TO CLEAN INDOOR AIR; AMENDING SECTION 39-5502, IDAHO CODE, TO REVISE THE DEFINITION OF "PUBLIC PLACE" TO INCLUDE BOWLING ALLEYS; AND AMENDING SECTION 39-5503, IDAHO CODE, TO REMOVE BOWLING ALLEYS FROM THE LIST OF EXCEPTIONS TO THE PROHIBITION ON SMOKING IN A PUBLIC PLACE.

HOUSE BILL NO. 671
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO SCHOOL DISTRICT ELECTIONS; AMENDING SECTION 33-403C, IDAHO CODE, TO ALLOW EACH CANDIDATE TO AUTHORIZE A WATCHER TO OBSERVE THE CONDUCT OF THE ELECTION, TO PERMIT CHALLENGERS AND WATCHERS TO WORK IN SHIFTS, TO PROVIDE FOR WATCHERS AT SCHOOL DISTRICT ELECTIONS WHICH ARE OTHER THAN FOR THE ELECTION OF OFFICERS, TO REMOVE THE REQUIREMENT THAT SUCH WATCHERS NOT ABSENT THEMSELVES UNTIL THE POLLS CLOSE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-406, IDAHO CODE, TO REMOVE THE REQUIREMENT THAT AN ELECTOR BE ABSENT FROM THE DISTRICT OR UNABLE BECAUSE OF PHYSICAL DISABILITY OR BLINDNESS TO VOTE BY ABSENTEE BALLOT AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 672
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO ELECTION PROCEDURES; AMENDING SECTION 34-304, IDAHO CODE, TO PROVIDE FOR WATCHERS TO OBSERVE THE CONDUCT OF AN ELECTION, TO ALLOW PRO AND CON PERSONS TO BE AT POLLING PLACES FOR THE PURPOSE OF CHALLENGING VOTERS AND OBSERVING THE CONDUCT OF AN ELECTION AND TO PROVIDE PROCEDURES; AMENDING SECTION 34-418, IDAHO CODE, TO PROVIDE FOR UTILIZATION OF THE STATEWIDE VOTER REGISTRATION SYSTEM FOR NOTIFYING REGISTRATION OFFICIALS OR THE COUNTY CLERK WHERE THE ELECTOR WAS PREVIOUSLY REGISTERED SO THAT THE PRIOR REGISTRATION MAY BE CANCELED; AMENDING SECTION 34-432, IDAHO CODE, TO DELETE LANGUAGE ALLOWING AN ELECTOR TO REQUEST A CHANGE IN

THE INFORMATION ON HIS REGISTRATION CARD; AMENDING SECTION 34-437B, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK SHALL SUPPLY TO A REQUESTING SCHOOL BOARD A LIST OF REGISTERED ELECTORS; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 673
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO LIQUOR LICENSES; AMENDING SECTION 23-904, IDAHO CODE, TO PROVIDE FOR LIQUOR LICENSE FEES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 9, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-957, IDAHO CODE, TO PROVIDE THAT THERE IS NO PROHIBITION TO THE ISSUANCE OF LIQUOR LICENSES TO THE OWNER, OPERATOR OR LESSEE OF BEVERAGE, LODGING OR DINING FACILITIES LOCATED WITHIN THE BOUNDARIES OF A YEAR-ROUND RESORT, TO PROVIDE THAT THERE IS NO PROHIBITION TO THE ISSUANCE OF LIQUOR LICENSES TO THE OWNER, OPERATOR OR LESSEE OF A GOLF COURSE, SKI RESORT, CROSS-COUNTRY SKIING FACILITY OR WATERFRONT RESORT LOCATED WITHIN THE BOUNDARIES OF A YEAR-ROUND RESORT, TO PROVIDE FOR NONTRANSFERABILITY OF LIQUOR LICENSES OUTSIDE THE YEAR-ROUND RESORT, TO PROVIDE FOR FEES AND TO DEFINE "YEAR-ROUND RESORT"; AND AMENDING SECTION 23-903, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

HOUSE BILL NO. 674
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO FIRE PROTECTION DISTRICTS; AMENDING SECTION 31-1401, IDAHO CODE, TO CLARIFY THE PURPOSE AND POLICY OF THE FIRE PROTECTION DISTRICT LAW; AMENDING SECTION 31-1403, IDAHO CODE, TO PROVIDE FOR COSTS OF PUBLICATION AND ELECTION RELATING TO PETITIONS FOR ORGANIZATION OF FIRE DISTRICTS; AMENDING SECTION 31-1405, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE PUBLICATION OF NOTICE OF ELECTION; AMENDING SECTION 31-1408, IDAHO CODE, TO REQUIRE OATHS FOR APPOINTED OFFICERS, TO CLARIFY PROVISIONS RELATING TO FIRE PROTECTION BOARD COMPOSITION AND TO PROVIDE FOR OATHS OF FIRE PROTECTION COMMISSIONERS AND APPOINTED OFFICERS; AMENDING SECTION 31-1408A, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-1409, IDAHO CODE, TO PROVIDE FOR TERMS OF OFFICE FOR FIRE PROTECTION COMMISSIONERS AND TO PROVIDE FOR THE FILLING OF VACANCIES OF FIRE PROTECTION COMMISSIONERS; AMENDING SECTION 31-1410, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE ELECTION OF COMMISSIONERS, TO REVISE PROVISIONS RELATING TO FIRE DISTRICT

SUBDISTRICTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1411, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ANNEXATION AND TO PROVIDE FOR THE ANNEXATION OF TERRITORY LOCATED WITHIN AN EXISTING FIRE PROTECTION DISTRICT INTO ANOTHER FIRE PROTECTION DISTRICT; AMENDING SECTION 31-1411A, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO PETITIONS OBJECTING TO CONSOLIDATION, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1411B, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO ELECTIONS FOR THE CONSOLIDATION OF DISTRICTS AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 31-1412, IDAHO CODE, TO PROVIDE ADDITIONAL PROCEDURAL REQUIREMENTS FOR ANNEXATION, TO REVISE PROVISIONS RELATING TO ANNEXATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1413, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE THAT THE BOARD SHALL ACT ON LISTS OF BILLS PRESENTED BY THE SECRETARY AND TO PROVIDE FOR THE APPLICABILITY OF SPECIFIED LAWS TO FIRE PROTECTION DISTRICTS; AMENDING SECTION 31-1414, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-1415, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE FOR AND TO REVISE CORPORATE POWERS AND DUTIES OF THE BOARD OF FIRE PROTECTION COMMISSIONERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1416A, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-1417, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1417A, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE FOR AND REVISE PROVISIONS RELATING TO THE SALE, CONVEYANCE AND DISPOSITION OF PROPERTY OF FIRE PROTECTION DISTRICTS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 31-1418, IDAHO CODE, RELATING TO FIRE PROTECTION BOARD COMMISSIONER COMPENSATION AND EXPENSES; AMENDING CHAPTER 14, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-1421, IDAHO CODE, TO PROVIDE FOR COMPENSATION AND BENEFITS FOR FIRE PROTECTION COMMISSIONERS, TO PROVIDE FOR EXPENSES OF FIRE PROTECTION COMMISSIONERS, TO PROVIDE FOR COMPENSATION AND BENEFITS FOR OFFICERS, AGENTS AND EMPLOYEES AND TO PROVIDE FOR LIABILITY OF THE FIRE PROTECTION DISTRICT FOR THE ACTS AND OMISSIONS OF CERTAIN PERSONS; AMENDING SECTION 31-1419A, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-1420, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1421, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-1422, IDAHO CODE,

TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-1423, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE FOR AND TO REVISE PROVISIONS RELATING TO THE HANDLING OF DISTRICT FUNDS; AMENDING SECTION 31-1424, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1424A, IDAHO CODE, TO REDESIGNATE THE SECTION; REPEALING SECTION 31-1425, IDAHO CODE, RELATING TO DUTIES OF FIRE PROTECTION DISTRICT TREASURERS, REPEALING SECTION 31-1426, IDAHO CODE, RELATING TO WARRANTS, REPEALING SECTION 31-1427, IDAHO CODE, RELATING TO WITHDRAWALS FROM FIRE PROTECTION DISTRICTS, REPEALING SECTION 31-1428, IDAHO CODE, RELATING TO HEARINGS OF PETITIONS FOR WITHDRAWAL FROM DISTRICTS AND DISTRIBUTION OF ASSETS AND REPEALING SECTION 31-1430, IDAHO CODE, RELATING TO COOPERATION AND RECIPROCATING USE OF FIRE FIGHTING FORCES AND APPARATUS OF DISTRICTS AND CITIES; AMENDING CHAPTER 14, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-1430, IDAHO CODE, TO PROVIDE FOR THE COOPERATION AND RECIPROCATING USE OF FIREFIGHTING FORCES AND APPARATUS OF DISTRICTS AND POLITICAL SUBDIVISIONS AND MUNICIPALITIES AND TO PROVIDE FOR FEES AND LIENS; REPEALING SECTION 31-1430A, IDAHO CODE, RELATING TO COOPERATION BETWEEN FIRE PROTECTION DISTRICTS IN IDAHO AND FIRE PROTECTION DISTRICTS AND MUNICIPALITIES OF OTHER STATES; AMENDING SECTION 31-1430B, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO CONTRACTS BETWEEN FIRE PROTECTION DISTRICTS AND INDIVIDUAL PROPERTY OWNERS OUTSIDE OF THE DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1431, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 31-1432, IDAHO CODE, RELATING TO THE DEPOSIT OF COSTS AND REPEALING SECTION 31-1433, IDAHO CODE, RELATING TO INTEREST ON UNPAID WARRANTS AND LIMITATIONS ON AMOUNTS OF WARRANTS; AMENDING SECTION 31-1434, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1435, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO THE DISSOLUTION OF FIRE PROTECTION DISTRICTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1436, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-1437, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-1438, IDAHO CODE, TO REDESIGNATE THE SECTION; AND AMENDING SECTION 63-802, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

HOUSE BILL NO. 675
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO TEEN EARLY INTERVENTION; AMENDING SECTION 16-1617, IDAHO CODE, TO PERMIT TEEN EARLY INTERVENTION COUNSELORS TO PARTICIPATE ON INTERAGENCY MULTIDISCIPLINARY TEAMS; AMENDING SECTION 16-2403, IDAHO CODE, TO DEFINE "TEENS AT RISK"; AMENDING SECTION 16-2404, IDAHO CODE, TO PROVIDE FOR CONTRACTING BY THE DEPARTMENT OF HEALTH AND WELFARE WITH SCHOOL DISTRICTS FOR TEEN EARLY INTERVENTION COUNSELORS; AMENDING CHAPTER 24, TITLE 16, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 16-2404A, IDAHO CODE, TO AUTHORIZE THE DEPARTMENT TO EMPLOY TEEN EARLY INTERVENTION COUNSELORS, TO PROVIDE QUALIFICATIONS FOR SUCH COUNSELORS, TO PROVIDE PROCEDURES FOR EVALUATING APPLICATIONS FROM SCHOOL DISTRICTS, TO CREATE THE TEEN EARLY INTERVENTION FUND AND TO REQUIRE THE DEPARTMENT TO GATHER DATA ON PROGRAM EFFECTIVENESS; AND AMENDING SECTION 20-511A, IDAHO CODE, TO PERMIT COURTS TO INCLUDE TEEN EARLY INTERVENTION COUNSELORS ON SCREENING TEAMS.

HOUSE BILL NO. 676
BY REVENUE AND TAXATION COMMITTEE
 AN ACT

RELATING TO PROPERTY TAXATION; REPEALING SECTION 63-602FF, IDAHO CODE, RELATING TO PARTIAL EXEMPTION FOR PARCELS OF LAND IN A RURAL HOME SITE DEVELOPMENT PLAT; AMENDING SECTION 63-604, IDAHO CODE, TO ALLOW LAND LESS THAN FIVE ACRES TO BE CLASSIFIED AS LAND ACTIVELY DEVOTED TO AGRICULTURE IF CERTAIN CIRCUMSTANCES OCCUR, TO PROVIDE THAT PLATTING LAND ACTIVELY DEVOTED TO AGRICULTURE DOES NOT ALONE CAUSE THE LAND TO LOSE ITS ACTIVELY DEVOTED TO AGRICULTURE STATUS AND TO PROVIDE AN ADDITIONAL DEFINITION; AMENDING SECTION 63-602K, IDAHO CODE, TO REVISE A DEFINITION; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

HOUSE BILL NO. 677
BY REVENUE AND TAXATION COMMITTEE
 AN ACT

RELATING TO BUILDING PERMITS; AMENDING SECTION 39-4112, IDAHO CODE, TO AUTHORIZE SCHOOL DISTRICTS TO IMPOSE AN IMPACT FEE ON NEW RESIDENTIAL CONSTRUCTION WITHIN THE DISTRICT, TO PROVIDE THAT THE IMPACT FEE BE COLLECTED WHEN A BUILDING PERMIT IS ISSUED AND TO PROVIDE PROCEDURES; AND AMENDING SECTION 33-601, IDAHO CODE, TO ALLOW THE ADOPTION OF A MOTION TO PROVIDE FOR THE COLLECTION OF AN

IMPACT FEE WHEN BUILDING PERMITS ARE ISSUED WITHIN THE SCHOOL DISTRICT.

HOUSE BILL NO. 678
BY REVENUE AND TAXATION COMMITTEE
 AN ACT

RELATING TO SCHOOL LEVIES; AMENDING SECTION 33-802, IDAHO CODE, TO REDUCE THE MAINTENANCE AND OPERATION LEVY, TO REVISE HOW MAXIMUM SCHOOL MAINTENANCE AND OPERATION LEVIES ARE CALCULATED FOR TAX YEAR 2007 AND THEREAFTER AND TO PROVIDE FOR A BUDGET STABILIZATION LEVY FOR CERTAIN DISTRICTS; AMENDING SECTION 33-1002, IDAHO CODE, TO REDUCE THE LOCAL DISTRICT'S CONTRIBUTION, TO PROVIDE FOR CALCULATION OF THE NUMBER, TO REQUIRE SCHOOL DISTRICTS TO REDUCE THEIR LOCAL DISTRICT CONTRIBUTION TO BE ELIGIBLE FOR EDUCATION SUPPORT PROGRAM DISTRIBUTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1002D, IDAHO CODE, TO PROVIDE ONGOING PROPERTY TAX RELIEF AND TO PROVIDE THAT MONEYS IN THE FUND SHALL BE STATE DISCRETIONARY FUNDS; AMENDING CHAPTER 68, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6804, IDAHO CODE, TO PROVIDE FOR THE TRANSFER OF EXCESS REVENUES OF THE GENERAL FUND UPON CERTAIN CIRCUMSTANCES OCCURRING AND TO PROVIDE FOR TRANSFERS TO THE PUBLIC SCHOOL INCOME FUND; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

HOUSE BILL NO. 679
BY REVENUE AND TAXATION COMMITTEE
 AN ACT

RELATING TO THE SALES AND USE TAX; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3641, IDAHO CODE, TO IMPOSE AN ADDITIONAL ONE-HALF CENT SALES AND USE TAX, TO PROVIDE FOR STATE TAX COMMISSION AUTHORITY AND TO PROVIDE FOR DEPOSIT OF MONEYS IN THE GENERAL FUND; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 680
BY REVENUE AND TAXATION COMMITTEE
 AN ACT

RELATING TO PROPERTY TAXES; AMENDING CHAPTER 7, TITLE 63, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 63-712, 63-713, 63-714, 63-715, 63-716, 63-717, 63-718, 63-719, 63-720 AND 63-721, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE FOR DEFINITIONS, TO PROVIDE FOR APPLICATION FOR DEFERRAL OF PROPERTY TAX, TO PROVIDE FOR PROCEDURES AND APPEALS, TO PROVIDE FOR A DEFERRAL OF PROPERTY TAXES AND INTEREST AND LIENS RELATING TO THE DEFERRAL, TO PROVIDE FOR

REIMBURSEMENT BY THE STATE TAX COMMISSION OF LOCAL TAXES DEFERRED AND TO PROVIDE A LIMIT TO THE DEFERRAL AND PAYMENT OF TAXES NOT DEFERRED, TO PROVIDE FOR EVENTS TERMINATING THE DEFERRAL AND TO PROVIDE FOR PAYMENT OF DEFERRED TAXES AND INTEREST AND TO PROVIDE FOR DISTRIBUTION AND APPROPRIATION OF PAYMENTS RECEIVED, TO PROVIDE FOR A TAX DEED IN THE EVENT OF FAILURE TO PAY DEFERRED TAXES, TO PROVIDE FOR RECOVERY OF AMOUNTS SUBJECT TO RECOVERY AND TO PROVIDE A MISDEMEANOR PENALTY FOR KNOWINGLY FILING A FALSE CLAIM; AMENDING SECTION 63-3638, IDAHO CODE, TO REVISE DISTRIBUTION FOR REIMBURSEMENT PAYMENTS FOR PROPERTY TAX RELIEF AND TAX DEFERRALS; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

HOUSE JOINT RESOLUTION NO. 5
BY LOCAL GOVERNMENT COMMITTEE
 A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 14, ARTICLE I, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO RIGHT OF EMINENT DOMAIN, TO CLARIFY THAT THE MATERIAL RESOURCES OF THE STATE ARE THE NATURAL MATERIAL RESOURCES OF THE STATE, AND TO PROVIDE THAT THE TAKING OF PRIVATE PROPERTY FOR THE USE, TRANSFER TO, OR BENEFIT OF OTHER PRIVATE PARTIES IS HEREBY EXPRESSLY DECLARED NOT TO BE A PUBLIC USE FOR WHICH EMINENT DOMAIN IS AUTHORIZED, EXCEPT FOR SUCH USES NECESSARY TO THE COMPLETE DEVELOPMENT OF THE NATURAL MATERIAL RESOURCES OF THE STATE AS SPECIFIED IN THE FIRST PARAGRAPH OF SECTION 14, ARTICLE I, OF THE CONSTITUTION OF THE STATE OF IDAHO, OR TO PROVIDE PUBLIC UTILITIES; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

H 656, H 657, H 658, H 659, H 660, H 661, H 662, H 663, H 664, H 665, H 666, H 667, H 668, H 669, H 670, H 671, H 672, H 673, H 674, H 675, H 676, H 677, H 678, H 679, H 680, and HJR 5 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1299 and **S 1258**, by Resources and Environment Committee, were introduced, read the first time by title, and referred to the Resources and Conservation Committee.

S 1315, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Local Government Committee.

S 1317, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 34, by Health and Welfare Committee, was read the second time by title and filed for third reading.

H 601, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

H 446, **H 447**, and **H 448**, by Business Committee, were read the second time by title and filed for third reading.

H 533, **H 535**, and **H 536**, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

Mr. Deal asked unanimous consent that **H 468** be returned to the State Affairs Committee. There being no objection, it was so ordered.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

February 13, 2006

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 463** and **H 534** and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H 463

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 17, delete "pending lease" and insert: "unladen weight"; and in line 20, delete "pending lease" and insert: "unladen weight".

CORRECTION TO TITLE

On page 1, in line 3, delete "PENDING LEASE" and insert: "UNLADEN WEIGHT"; and in line 4, delete "A PENDING

LEASE" and insert: "AN UNLADEN WEIGHT".

HOUSE AMENDMENT TO H 534

AMENDMENT TO THE BILL

On page 2 of the printed bill, following line 4, insert: "SECTION 3. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval."

CORRECTIONS TO TITLE

On page 1, in line 3, delete "AND"; and in line 5, following "FELONIES" insert: "; AND DECLARING AN EMERGENCY".

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Ms. Jaquet.

Whereupon the Speaker declared the report adopted.

H 463, as amended, and **H 534**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Denney asked unanimous consent that all bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 11:30 a.m., Tuesday, February 14, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:59 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk